

REMARKS

This response responds to the Office Action dated February 25, 2008, in which the Examiner rejected claims 1-38 under 35 U.S.C. § 103.

Claim 1 claims a copyright management system, claim 6 claims a copyright management apparatus, claim 11 claims an apparatus for receiving copyrighted information contents, claim 23 claims a method of managing lease of copyrighted information contents and claim 35 claims a recording medium for recording copyrighted information contents. The system, apparatus, method and recording medium include adding utilization condition information to copyrighted information contents. The copyrighted information contents are automatically erased based on the utilization condition information.

By adding utilization condition information to copyrighted information contents and by automatically erasing the copyrighted information contents based on the utilization condition information, as claimed in claims 1, 6, 11, 23 and 35, the claimed invention provides a system, apparatus, method and recording medium providing a rigid copyright management mechanism in which illegal copying of copyrighted material is prevented. The prior art does not show, teach or suggest the invention as claimed in claims 1, 6, 11, 23 and 35.

Claims 1-38 were rejected under 35 U.S.C. § 103 as being over *Hasebe et al.* (U.S. Patent No. 6,829,592), in view of *Tagawa et al.* (U.S. Patent No. 7,315,829).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

Applicants note that while *Tagawa et al.* is cited in the body of the Office Action, this reference is not cited on PTO-892. Rather, a reference to *Freimuth et al.* (U.S. Patent No. 7,315,892) is listed rather than *Tagawa et al.* (U.S. Patent No. 7,315,829). A corrected PTO-892 is respectfully requested.

Hasebe et al. appears to disclose in Fig. 1 a center 100 includes a distribution control unit 101 for controlling the distribution of data required for allowance for the use and a license giving unit 102 for giving the license for allowing use of the data to respective user devices 200. The center 100 furnishes a user device 200 with a decoding key as the license for decoding encrypted data. The user device 200 decodes the encrypted data by means of the decoding key (Col. 4, lines 42-54).

Thus, *Hasebe et al.* only discloses passing encrypted data and passing a decoding key to a user device. Nothing in *Hasebe et al.* shows, teaches or suggests automatically erasing copyrighted information contents based on a utilization condition information added to the copyrighted information contents as claimed in claims 1, 11, 23 and 35. Rather, *Hasebe et al.* only discloses passing (a) a decoding key and (b) encrypted data.

Additionally, since *Hasebe et al.* merely discloses furnishing a decoding key and delivering encrypted data, nothing in *Hasebe et al.* shows, teaches or suggests adding utilization condition information to copyrighted information contents as claimed in claims 1, 6, 11, 23 and 35. A decoding key is merely a key to convert the encrypted data into decrypted data. Thus, the decoding key is not added to the encrypted data. Furthermore, the decoding key is a license and is not information about lease of the copyrighted information. Thus, nothing in *Hasebe et al.* shows, teaches or suggests (a) adding utilization condition information to copyrighted

information contents and (b) utilization condition information is information about lease of copyrighted information contents as claimed in claims 1, 6, 11, 23 and 35.

Tagawa et al. appears to disclose a second authentication unit 127 determining whether or not a transmitted user ID is correct. If the user ID is correct, the second authentication unit 127 transmits its device ID to a first authentication unit 124. If the device ID is correct, the second authentication unit 127 is requested to obtain identification information peculiar to a secondary recording medium 128. The second authentication unit 127 obtains the identification information peculiar to the secondary recording medium 128 and transmits it to a first authentication unit 124 (Col. 13, lines 22-40).

Thus, *Tagawa et al.* merely discloses an authentication unit 127 which transmits data to a first authentication unit 124. Nothing in *Tagawa et al.* shows, teaches or suggests automatically erasing received copyrighted information contents based upon utilization condition information about lease of copyrighted information contents as claimed in claims 1, 11, 23 and 35. Rather, *Tagawa et al.* only discloses communication between authentication unit 127 and 124.

A combination of *Hasebe et al.* and *Tagawa et al.* would merely suggest to furnish a user device with a decoding key as a license as taught by *Hasebe et al.* while communicating the user ID and device ID between authentication units as taught by *Tagawa et al.*. Thus, nothing in the combination of the references shows, teaches or suggests (a) automatically erasing received copyrighted content information based on utilization condition information and (b) adding utilization condition information (about lease of copyrighted information contents) to copyrighted information contents as claimed in claims 1, 6, 11, 23 and 35. Therefore, Applicants

respectfully request the Examiner withdraws the rejection to claims 1, 6, 11, 23 and 35 under 35 U.S.C. § 103.

Claims 2-5, 7-10, 12-22, 24-34 and 36-38 recite additional features. Applicants respectfully submit that claims 2-5, 7-10, 12-22, 24-34 and 36-38 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Hasebe et al.* and *Tagawa et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-5, 7-10, 12-22, 24-34 and 36-38 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

Should the Examiner find that the Application is not now in condition for allowance, Applicants respectfully request the Examiner enters this response for purposes of appeal.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

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